

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**WEIHARIK GARCIA**, individually and on  
behalf of all others similarly situated,

*Plaintiff,*

v.

**STAR POWER MARKETING  
GROUP, LLC,**

*Defendant.*

Case No.  
24-4823

**CLASS ACTION**

**JURY TRIAL DEMANDED**

**PLAINTIFF'S STATUS REPORT**

Pursuant to this Court's Order, the Plaintiff provides the following status report:

The Plaintiff is on track to complete discovery by the current deadline. The Plaintiff has obtained classwide calling records from SlickText, one of the Defendant's vendors, and is currently in the process of obtaining records from the Defendant's other vendor, CallFire.

The results of discovery thus far have revealed approximately 125,000 text messages sent to 10,638 unique telephone numbers. As additional data is still outstanding from CallFire, that number may increase as additional text messages and numbers are located. An informal analysis of the class data by Plaintiff's counsel has identified that approximately 2,891 of those numbers, or a little over 27% of those numbers, were on the National Do Not Call Registry. Defendant has admitted to not having any consent to contact those numbers with text messages. As a result, the class that the Plaintiff will seek to certify will consist of approximately 2,891 members whose numbers are on the National Do Not Call Registry who received at least two text messages

without their consent. As it stands, Defendant currently faces a statutory minimum of \$2.891 million in damages with respect to the certified class.

Given this significant liability, the Plaintiff has extended an invitation to mediate the class claims. Plaintiff is currently awaiting a response from the Defendant on this proposal. Moreover, the Plaintiff notes that as additional data is produced and prepared for expert analysis, the number of unique telephone numbers, and the corresponding class members, may yet increase, which impacts this case's valuation and settlement posture. The time to mediate is now.

The Plaintiff further notes that counsel for Plaintiff attempted to correspond with counsel for Defendant regarding the contents of this status report, which Plaintiff understood to be intended to be a joint status report, but received no response.

RESPECTFULLY SUBMITTED AND DATED this September 2, 2025

/s/ Andrew Roman Perrong  
Andrew Roman Perrong, Esq.  
Perrong Law LLC  
2657 Mount Carmel Avenue  
Glenside, Pennsylvania 19038  
Phone: 215-225-5529 (CALL-LAW)  
Facsimile: 888-329-0305  
a@perronglaw.com  
*Attorney for Plaintiff*

**CERTIFICATE OF SERVICE**

I hereby certify that on September 2, 2025, a copy of the foregoing was filed electronically on CM/ECF.

Dated: September 2, 2025

/s/ Andrew Roman Perrong  
Andrew Roman Perrong, Esq.